

OFFICE OF THE COMMISSIONER
PATENT & TRADEMARK OFFICE
FINANCE SECTION

PATENT APPLICATION
Mo-6976
LeA 33,714

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---------------------------|---|-------------------------|
| APPLICATION OF |) | |
| MICHAEL ZOBEL ET AL |) | GROUP NO.: 1714 |
| SERIAL NUMBER: 10/069,745 |) | EXAMINER: K. A. SANDERS |
| FILED: FEBRUARY 27, 2002 |) | RESPONSE TO PAPER # 1 |
| TITLE: FLAME-RESISTANT |) | |
| POLYCARBONATE ABS MOLDING |) | |
| MATERIALS |) | |

RESPONSE

RECEIVED
DEC 15 2003
TC 1700

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sirs:

The Office Action dated September 4, 2003 issued in the subject patent application has been received and reviewed and the following is in response thereto. Reconsideration of the Application in light of the remarks below is requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 _____ 12/4/03 _____
Date

Aron Preis, Reg. No. 29,426
Name of applicant, assignee or Registered Representative

Signature

December 4, 2003
Date

REMARKS

Pending in the Application are Claims 1-3, 8 and 16-26.

The Claims stand rejected under section 35 U.S.C. 102(e) as anticipated by Zobel et al (U.S. Patent 6,528,561).

Section (e) of the statute refers in (1) to "an application for patent by another" and in (2) to "a patent granted on an application for patent by another" (emphases added).

U.S. Patent 6,528,561 names Michael Zobel, Thomas Eckel, Torsten Derr and Dieter Wittmann, as inventors. Since the present application names the same inventive entity, the '561 document is not available prior art under section 102(e) and the rejection thereunder is untenable. The withdrawal of the rejection is respectfully requested.

Believing the above represent a complete response to the Office Action and that the application is in condition for allowance, Applicants request the earliest issuance of an indication to this effect.

Respectfully submitted,

By



Aron Preis
Attorney for Applicants
Reg. No. 29,426

Bayer Polymers LLC
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
(412) 777-3814
FACSIMILE PHONE NUMBER:
(412) 777-3902
lo/PREIS/ap132